IN THE HIGH COURT OF BOMBAY AT GOA.

SECOND APPEAL NO. 12 OF 2001.

1. Shri Mahadev Vassu Raut,
2. Smt. Kamlabai Mahadev Raut,
both r/of Madlo Vado, Sal,
Bicholim. ... Appellants.

Versus

1. Shri Prabhakar Ladu Chari,
2. Smt. Pramila Prabhakar Chari,
both r/of Sal, Bicholim.
3. Smt. Laxmi Sonu Chari,
w/o late Sonu Ladu Chari,
4. Shri Ladu Sonu Chari,
son of late Sonu Ladu Chari
5. Smt. Pramila Ladu Chari,
6. Shri Gurudas Sonu Chari,
7. Smt. Kalindi Gurudas Chari,
all r/of H.No. 484(a), Rua Pe
Agnel, Panaji, Goa.
8. Smt. Shantabai Shantaram Chari,
r/o Varkhand, Pernem, Goa. ... Respondents.

Mr. A.D. Bhobe, Advocate for the Appellants.

Mr. Sudin M.S. Usgaonkar, Advocate for the Respondents 1 to 7.

Coram: P.V. HARDAS, J.

Date: 11th October 2002.

ORAL JUDGMENT.

This Second Appeal has been filed by the original defendants, who have been unsuccessful in the two Courts below. Notice before admission was issued to the respondents/original plaintiffs. The learned counsel for the appellants, Mr. Bhobe and the learned counsel for the respondents, Mr. Usgaonkar have today filed the consent terms and have stated that the parties have amicably settled their dispute in terms of the consent terms. The consent terms presented before the

Court are taken on record and marked 'X' for identification. The sketch maps at Annexures A and B are annexed to the consent terms, which form part of the consent terms.

2. Clause 2 of the consent terms states that the parties agree and have accordingly partitioned the suit properties amongst them as per their share, i.e., 2/3rd of the appellants and 1/3rd of the respondents. Paragraph 3 of the consent terms delineates the 1/3rd share of the respondents in the suit property and is marked in red in the survey plan, which is annexed at Annexure A. Paragraph 5 of the consent terms delineates the 1/3rd share of the respondents in the suit property bearing Survey No. 244/2 (part) of Bicholim Taluka in the survey plan annexed to the consent terms as Annexure B.

3. The appellant no. 1 and the respondent no. 1 are present in Court today. The consent terms are signed by the respective counsel. The consent terms are also signed by all the appellants and the respondents and the learned counsel have confirmed their signatures.

4. Since the appellants and the respondents have settled the dispute amicably amongst them and requested the Court that a consent decree in terms of the

compromise be passed, the Second Appeal is, therefore, disposed of in view of the consent terms. A decree in terms of the consent terms at 'X' be drawn. The Second Appeal is disposed of with no order as to costs.

(P.V. HARDAS)
JUDGE.

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